

PATENT

REMARKS

Claims 1-26 are currently pending in this application. Claims 27-64 have been cancelled without prejudice in response to a restriction requirement. Reconsideration is respectfully requested in light of the above amendments and following remarks.

Claims 1, 2, and 4-7 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,379,300 to Haubrich. Applicants respectfully traverse this rejection.

Claim 1 is directed to an implantable cardiac therapy device that includes a casing that houses both cardiac therapy circuitry and communication circuitry. The casing is adapted to isolate the communication circuitry from the cardiac therapy circuitry. (Underlining added for emphasis only). Applicants respectfully submit that Haubrich does not disclose or suggest the recited claim elements.

Rather, Haubrich discloses a pacemaker having an internal and external diplexer formed from high pass and low pass filters which isolate the pacemaker's communication circuitry from the cardiac therapy circuitry. For example, in the Haubrich pacemaker high pass filter 26 located internal to the device prevents low frequency signals from the lead 16a due to natural cardiac depolarizations etc. from passing through to the input of transceiver 24 while low pass filter 30 prevents high frequency signals received by antenna 20a from passing into the pace/sense circuitry 28. (Haubrich, col. 4, lines 4-10).

Haubrich does not however disclose or suggest a casing adapted to isolate the communication circuitry from the cardiac therapy circuitry as recited in claim 1 of the present invention but instead relies upon filters internal and external to the hermetic housing to provide the necessary isolation. Applicants therefore respectfully submit that claim 1 recites a novel and unobvious apparatus over Haubrich and is therefore allowable. Applicants further submit that claims 2-9 that depend from claim 1 are allowable as is claim 1 and for additional limitations recited therein.

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Haubrich in view of U.S. Patent Number 6,312,378 to Bardy. Applicants respectfully traverse this rejection. Claim 9 depends from claim 1 and is allowable over Haubrich as is claim 1 and for the additional limitations recited therein.

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In light of the above remarks, it is respectfully submitted that the application is in condition for allowance, and an early notice of allowance is requested.

Respectfully submitted,

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Date

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